

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today  
(1) was not written for publication in a law journal and  
(2) is not binding precedent of the Board.

Paper No. 27

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte WILLIAM P. MOTZER

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Appeal No. 1998-1520  
Application No. 08/632,638

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ON BRIEF

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Before KRASS, BARRETT and BLANKENSHIP, Administrative Patent Judges.

KRASS, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the final rejection of claims 1-5, 7-18, 20-23, 25-29, 31-34, 36 and 37. Claims 38-40 have been allowed and claims 6, 19 and 24 have been indicated by the examiner as being directed to allowable subject matter.

The invention is directed to a system for displaying and analyzing data obtained from an ultrasonic scan of an object. More particularly, different display formats are employed simultaneously. These formats may include a pulse echo format, A- and B-scan displays and time of flight displays. An operator selects various portions of the ultrasonic data displayed in any display and the other displays are automatically revised based upon the operator's selections.

Representative independent claim 1 is reproduced as follows:

1. A system for analyzing and displaying ultrasonic test data produced by an ultrasonic test apparatus for a test part, the system comprising:
  - (a) a display for simultaneously displaying ultrasonic test data in at least two display portions, including a first display portion and a second display portion, each of said display portions displaying ultrasonic test data in a format selected from the group consisting of an A-Scan, a B-Scan, a pulse echo, and a time of flight format, said display presenting ultrasonic test data in a manner such that locations on said display correspond to locations on said test part;
  - (b) an input device responsive to an operator's input for selecting at least one location on said first display portion wherein said at least one location corresponds to a selection of the ultrasonic test data as displayed within said first display portion, and producing display location data, wherein said display location data can be produced a plurality of times in response to a plurality of input selections by the operator; and
  - (c) control means coupled to said display and said input device for receiving the display location data from said input device, determining ultrasonic test data parameters corresponding to the display location

data, filtering out portions of the ultrasonic test data based on the combination of the ultrasonic test data parameters and the format of said second display portion, and for causing said second display portion to update said display of ultrasonic data by displaying portions of the ultrasonic test data that have not been filtered out, wherein said filtering and updating of data can be done a plurality of times in response to a plurality of display location data produced by said input device.

The examiner relies on the following references:

Green (Green '835)	4,097,835	Jun. 27, 1978
Green et al. (Green '347)	4,141,347	Feb. 27, 1979

Additionally, the examiner relies on admitted prior art [APA], based on page 1 through line 7 of page 3 of the instant specification.

Claims 1-5, 7-18, 20-23, 25-29, 31-34, 36 and 37 stand rejected under 35 U.S.C. § 103 as unpatentable over either one of Green '835 or Green '347 in view of APA and "obvious duplication of displayed data."

Reference is made to the briefs and answer for the respective positions of appellant and the examiner.

### OPINION

We reverse.

Each of independent claims 1, 9 and 20, in one form or another, requires the selection, by an operator, of at least one location on a first display portion (the location corresponding to a selection of ultrasonic test data as displayed within the first display

portion) and a control means for receiving the location data, determining ultrasonic test data parameters corresponding to the display location data, filtering out portions of the test data based on the test data parameters and the format of a second display portion and causing the second display portion to update the display of ultrasonic data by displaying portions of the ultrasonic test data that have not been filtered out.

As the examiner points out, either one of the Green references discloses a system for analyzing and displaying ultrasonic test data where test data is simultaneously displayed in at least two display portions. Further, Green '347 clearly shows, in Figure 5, input devices responsive to an operator's input. It might even be argued that the zoom feature of Green '347 (pushbutton switch 90 in Figure 5) could be considered as "filtering out portions of the ultrasonic test data."

However, we agree with appellant, at page 10 of the principal brief, that "the Green references do not provide an operator with the ability to select locations on the test data display, filter the test data based upon the selected locations, or update the display data in response to the selections performed by the operator." Clearly, there is no such teaching or suggestion in either of the Green references and the examiner has pointed to nothing in these references that would convince us otherwise.

Since the Green references provide no teaching or suggestion of an operator selecting locations on a first display portion and then filtering the data by a control means based on the operator's selection to provide an output of the filtered data in a second display portion displaying the test data in a display format according to the selected location, no prima facie case of obviousness has been established by the examiner. We do not find that the APA or the examiner's allegation of "obvious duplication of displayed data" provides for the deficiencies of the Green references.

The examiner's decision rejecting claims 1-5, 7-18, 20-23, 25-29, 31-34, 36 and 37 under 35 U.S.C. § 103 is reversed.

**REVERSED**

ERROL A. KRASS	)	
Administrative Patent Judge	)	
	)	
	)	
	)	BOARD OF PATENT
LEE E. BARRETT	)	APPEALS AND
Administrative Patent Judge	)	INTERFERENCES
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	)	
	)	
HOWARD B. BLANKENSHIP	)	
Administrative Patent Judge	)	

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